



## Senate

General Assembly

**File No. 531**

February Session, 2006

Substitute Senate Bill No. 611

*Senate, April 18, 2006*

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING THE MARKETING OF CONNECTICUT-GROWN FARM PRODUCTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-38a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 The Commissioner of Agriculture shall establish and administer a  
4 program to promote the marketing of farm products grown and  
5 produced in Connecticut for the purpose of encouraging the  
6 development of agriculture in the state. The commissioner may, within  
7 available appropriations, provide a grant-in-aid to any person, firm,  
8 partnership or corporation engaged in the promotion and marketing of  
9 such farm products, provided the words "CONNECTICUT-GROWN"  
10 or "CT-Grown" are clearly incorporated in such promotional and  
11 marketing activities. The commissioner shall (1) contract with a public  
12 relations or advertising firm to design, plan and implement a  
13 multiyear, state-wide marketing and advertising campaign, including,  
14 but not limited to, television and radio advertisements, promoting the

15 availability of, and advantages of purchasing, Connecticut-grown farm  
16 products, (2) establish and continuously update a web site connected  
17 with such advertising campaign that includes, but is not limited to, a  
18 comprehensive listing of Connecticut farmers' markets, pick-your-own  
19 farms, roadside and on-farm markets, farm wineries, garden centers  
20 and nurseries selling predominantly Connecticut-grown horticultural  
21 products and agri-tourism events and attractions, and (3) conduct  
22 efforts to promote interaction and business relationships between  
23 farmers and restaurants, grocery stores, institutional cafeterias and  
24 other potential institutional purchasers of Connecticut-grown farm  
25 products, including, but not limited to, (A) linking farmers and  
26 potential purchasers through a separate feature of the web site  
27 established pursuant to this section, and (B) organizing state-wide or  
28 regional events promoting Connecticut-grown farm products, where  
29 farmers and potential institutional customers are invited to participate.  
30 The commissioner shall use his best efforts to solicit cooperation and  
31 participation from the farm, corporate, retail, wholesale and grocery  
32 communities in such advertising, Internet-related and event planning  
33 efforts, including, but not limited to, soliciting private sector matching  
34 funds. The commissioner shall use all of the funds provided to the  
35 Department of Agriculture pursuant to subparagraph (C) of  
36 subdivision (4) of section 4-66aa of the 2006 supplement to the general  
37 statutes for the purposes of this section. The commissioner shall report  
38 annually to the joint standing committee of the General Assembly  
39 having cognizance of matters relating to the environment on issues  
40 with respect to efforts undertaken pursuant to the requirements of this  
41 section, including, but not limited to, the amount of private matching  
42 funds received and expended by the department. The commissioner  
43 may adopt, in accordance with chapter 54, such regulations as he  
44 deems necessary to carry out the purposes of this section.

45       Sec. 2. Section 22-38c of the general statutes is repealed and the  
46 following is substituted in lieu thereof (*Effective July 1, 2006*):

47       There shall be an expand and grow Connecticut agriculture account,  
48 which shall be a separate, nonlapsing account within the General

49 Fund. Funds received pursuant to section 26-194 and section 22-38a, as  
50 amended by this act, shall be deposited into said account. The  
51 Commissioner of Agriculture [may] shall make payments from said  
52 account to fund the programs established in [section] sections 22-38a,  
53 as amended by this act, and 22-38b.

54 Sec. 3. (*Effective from passage*) (a) There is established a Forest, Parks,  
55 Tourism and Historical task force to determine the feasibility of  
56 transferring the management of state forest land and state parks from  
57 the Department of Environmental Protection to a new and  
58 independent commission or agency.

59 (b) The task force shall be comprised of seventeen members who are  
60 knowledgeable about state parts, forests, tourism and historic entities  
61 to be appointed as follows: Three by the Governor, three by the  
62 president pro tempore of the Senate, three by the speaker of the House  
63 of Representatives, two by the majority leader of the Senate, two by the  
64 majority leader of the House of Representatives, two by the minority  
65 leader of the Senate and two by the minority leader of the House of  
66 Representatives. Members of the task force shall receive no  
67 compensation for their services, but shall be reimbursed for any  
68 necessary expenses incurred in the performance of their duties.

69 (c) The task force may request and may receive cooperation and  
70 assistance in the performance of its duties from any federal, state or  
71 local agency or from any private citizen or entity, including the  
72 temporary assignment of personnel which may be necessary to carry  
73 out the performance of its functions and may exchange information  
74 and personnel with agencies of the state with reference to issues of  
75 mutual concern.

76 (d) The task force shall determine if the transfer of management of  
77 state forest land and state parks from the Department of  
78 Environmental Protection to a new independent commission or agency  
79 would financially benefit the state and, if so, how such financial  
80 benefits would support: (1) Increased staff levels to maintain state  
81 forest land and state parks, (2) a newly created commission or agency,

82 and (3) tourism and historic entities.

83 (e) In considering whether to recommend the creation of a new  
84 commission or agency, the task force shall explore the benefit of  
85 locating such commission or agency within the Department of  
86 Environmental Protection for administrative purposes only, including  
87 transferring existing forestry staff. Such staff would manage increased,  
88 sustainable harvesting of state forest land and state park resources.  
89 The task force shall explore the benefit of removing jurisdiction over  
90 tourism and historic matters from the Connecticut Commission on  
91 Culture and Tourism and placing jurisdiction over such matters with a  
92 newly formed commission or agency and utilizing available funding  
93 to, in cooperation with the Department of Agriculture, expand  
94 agricultural tourism in the state.

95 (f) The task force shall determine the ability of the state to realize  
96 economic gain through enhanced, sustainable management of state  
97 forest land, including, but not limited to, determining: (1) The amount  
98 of state forest land available for harvest; (2) additional markets that  
99 may be explored, such as the creation of cellulose ethanol through the  
100 conversion of waste wood into wood alcohol and fuel for motor  
101 vehicles; (3) the feasibility of commission or agency collaboration with  
102 nonprofit land conservation organizations and private land owners; (4)  
103 the ability to meet or exceed recommendations of the Council on  
104 Environmental Quality; and (5) the feasibility of special projects,  
105 including, but not limited to, planting Christmas trees in the medians  
106 of state highways and harvesting and selling such trees when they  
107 mature.

108 (g) Not later than January 1, 2007, the task force shall submit a  
109 report on its findings and recommendations to the joint standing  
110 committee of the General Assembly having cognizance of matters  
111 relating to state parks and forests, in accordance with the provisions of  
112 section 11-4a of the general statutes. The task force shall terminate on  
113 the date that it submits such report or January 1, 2007, whichever is  
114 later.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2006</i>	22-38a
Sec. 2	<i>July 1, 2006</i>	22-38c
Sec. 3	<i>from passage</i>	New section

**ENV**      *Joint Favorable Subst. C/R*

APP

**APP**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Agriculture	GF - Cost	See Below	See Below
Legislative Mgmt.	GF - None	None	None

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The bill requires the Department of Agriculture (DOA) to contract with a public relations or advertising firm to design, plan and implement a marketing/ad campaign for Connecticut grown products, establish and update a web site, conduct efforts to promote interaction and business relationships between farmers and restaurants, grocery stores, institutional cafeterias and others as outlined in the bill. With the exception of contracting with a firm, the DOA already undertakes a majority of the work required within their existing budgetary resources. sHB 5007, the Appropriations Act, as favorably reported by the Appropriations Committee, provides an additional \$300,000 for these purposes. The bill also requires that DOA use \$100,000 of the funds collected under the \$30 recording fee that is deposited into the land protection, affordable housing, and historic preservation account to encourage the sale of CT Grown. In addition, the bill provides that these funds as well as any funds solicited for these purposes be deposited into the expand and grow account. The expand and grow account is capitalized with 75% of a 40 cent per linear foot fee on certain facilities that cross any grounds of the Sound within the state's jurisdiction. These revenues can currently be used for the CT Grown program. Annual DOA revenues from this account are estimated at \$90,000.

The bill establishes a Forest, Parks, Tourism, and Historical Task Force, to the extent that legislators serve on the task force Legislative Management may incur minimal costs for the legislator mileage reimbursement (currently 44.5 cents per mile), these costs are part of the normal budgetary resources of the agency. The bill specifies that members of the task force receive no compensation, thus there is no fiscal impact.

***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sSB 611*****AN ACT CONCERNING THE MARKETING OF CONNECTICUT-GROWN FARM PRODUCTS.*****SUMMARY:**

This bill requires the agriculture commissioner to undertake a marketing campaign, including television and radio advertisements, and establish a website to promote Connecticut-grown farm products. The commissioner must use document recording and Long Island Sound crossing fees established by law and seek private matching funds for these purposes.

The bill establishes a Forest, Parks, Tourism and Historical Task Force to determine the feasibility of transferring the state forest land and state parks management from the Department of Environmental Protection (DEP) to a new and independent commission or agency. The governor and legislative leaders appoint the 17-member task force and those members must be knowledgeable about state parks, forests, tourism, and historic entities.

EFFECTIVE DATE: July 1, 2006 except for the task force provision, which is effective upon passage.

**PROMOTION OF CONNECTICUT AGRICULTURE*****Marketing and Advertising***

By law, the agriculture commissioner must establish and administer a program to market farm products grown and produced in Connecticut to encourage state agricultural development. The commissioner may provide grants to anyone engaged in promoting and marketing these farm products, provided the words "Connecticut-Grown" are clearly incorporated in such promotional and marketing activities. The bill adds "CT-Grown."



Under the bill, the commissioner must also contract with a public relations or advertising firm to design, plan, and implement a multiyear, statewide marketing and advertising campaign. The campaign includes television and radio advertisements and promoting the availability and advantages of purchasing Connecticut-grown farm products.

**Website**

Under the bill, the commissioner must establish and continuously update a web site connected with the advertising campaign. The website must include a comprehensive listing of Connecticut farmers' markets, pick-your-own farms, roadside and on-farm markets, farm wineries, garden centers and nurseries selling predominantly Connecticut-grown horticultural products, and agri-tourism events and attractions.

**Additional Duties**

The commissioner must promote business relationships and interaction between farmers and restaurants, grocery stores, institutional cafeterias, and other potential institutional purchasers of Connecticut-grown farm products. This includes (1) linking farmers and potential purchasers through a separate feature of the web site the bill establishes and (2) organizing statewide or regional events promoting Connecticut-grown farm products, where farmers and potential institutional customers are invited to participate.

The commissioner must, to the best of his ability, solicit cooperation and participation from the farm, corporate, retail, wholesale, and grocery communities in advertising, Internet-related, and event planning efforts, including soliciting private sector matching funds.

**Funding**

The agriculture commissioner must use \$100,000 of the funds collected from the \$30 recording fee established by PA 05-228 for marketing. Under current law, the commissioner must use that amount for encouraging the sale of Connecticut-Grown food to school,

restaurants, retailers, and other state businesses and institutions.

The commissioner must deposit the recording fee money into the expand and grow Connecticut agriculture account, which, by law, is already funded by money he receives from a Long Island Sound crossing fee. By law, the expand and grow Connecticut agriculture account, is a separate, nonlapsing account within the General Fund that is funded from 75% of an annual fee the agriculture commissioner imposes of 40 cents per linear foot on the owner of certain facilities that cross any grounds of the Sound within Connecticut's jurisdiction.

Under the bill, the commissioner must make payments from the account to fund the marketing and advertising campaign and the bill's other requirements and the existing Connecticut-Grown program. He also must seek private matching funds. Current law allows the commissioner to use the Long Island Sound crossing fees for the Connecticut-Grown program.

### ***Report***

The commissioner must report annually to the Environment Committee on issues with respect to the bill's requirements, including the amount of private matching funds received and expended by the department. By law, the commissioner may adopt regulations as necessary to carry out the Connecticut-Grown program.

### **TASK FORCE**

The bill establishes a Forest, Parks, Tourism, and Historical Task Force to determine the feasibility of transferring state forest land and state parks management from DEP to a new, independent commission or agency.

### ***Members***

Under the bill, the 17-member task force is comprised of people knowledgeable about state parks, forests, tourism, and historic entities. The governor, Senate president pro tempore, and House speaker each appoint three members, and the majority and minority leaders of both chambers each appoint two. Task force members receive no

compensation, but are reimbursed for any necessary expenses incurred in performing their duties.

***Duties***

The task force must determine if transferring management of state forest land and parks from DEP to a new commission or agency would financially benefit the state and, if so, how it would support (1) itself, (2) increased staff levels to maintain state forest land and state parks, and (3) tourism and historic entities.

The task force must explore the benefit of locating a new commission or agency within the DEP for administrative purposes only, including transferring existing forestry staff, in considering whether to recommend the creation of a new entity.

The task force must explore the benefits of removing the Connecticut Commission on Culture and Tourism's jurisdiction over tourism and historic matters and placing it with a newly formed entity. The task force must utilize available funding and work with the Agriculture Department to expand state agricultural tourism.

The task force must determine the state's ability to realize economic gain through enhanced, sustainable state forest land management, including:

1. the amount of state forest land available for harvesting wood;
2. additional markets that may be explored, such as the creation of cellulose ethanol through the conversion of waste wood into wood alcohol and fuel for motor vehicles;
3. the feasibility of commission or agency collaboration with nonprofit land conservation organizations and private land owners;
4. the ability to meet or exceed recommendations of the Council on Environmental Quality; and

5. the feasibility of special projects, including, but not limited to, planting Christmas trees in the medians of state highways and harvesting and selling such trees when they mature.

By January 1, 2007, the task force must submit a report on its findings and recommendations to the Environment Committee. The task force terminates on the date that it submits the report or January 1, 2007, whichever is later.

### **Assistance**

The task force may request cooperation from and be assisted by any federal, state, or local agency or any private citizen or entity in performing its duties. Assistance may include the temporary assignment of personnel necessary to carry out the performance of its functions. The task force also may exchange information and personnel with state agencies concerning issues of mutual concern.

## **BACKGROUND**

### **Connecticut-Grown**

By law, only farm products grown and eggs produced in Connecticut can be advertised or sold in Connecticut as "Connecticut-Grown." Farm products grown and eggs produced in Connecticut may also be advertised or sold in Connecticut as "Native," "Native-Grown," "Local," or "Locally-Grown."

However, farm products grown and eggs produced within a 10-mile radius of the point of sale (i.e., at out-of-state farms near the border) may be advertised or sold in Connecticut as "Native," "Native-Grown," "Local," or "Locally-Grown." Any person, firm, partnership, or corporation advertising farm products with any of these designations is required to prove that their products meet the requirements if the agriculture commissioner requests it. Violators are subject to a fine of up to \$25 for each violation (CGS § 22-38).

## **RELATED BILLS**

SB 294 (File 134) requires farmers who sell products at an

authorized farmers' market kiosk to get and maintain any required license to sell the products and comply with state regulations on the sale of farm products on a farm.

SB 375 establishes a farm to school program within the Agriculture Department and the Department of Education (DOE). The departments, in consultation with one another, must facilitate and promote the sale of Connecticut-grown farm products by farms to school districts, individual schools, and other educational institutions under DOE's jurisdiction. The Appropriations Committee favorably reported it on April 4, 2006.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute Change of Reference  
Yea 27 Nay 0 (03/20/2006)

Appropriations Committee

Joint Favorable Substitute  
Yea 53 Nay 0 (03/31/2006)